

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DANNY TABB,

Plaintiff,

v.

NAPHCARE,

Defendants.

Case No. C21-5541 LK-TLF

ORDER STAYING DISCOVERY

Pending are defendants' motions to dismiss for failure to state a claim (Dkt. 31, Dkt. 48), the undersigned's Report and Recommendation on plaintiff's motion for default judgment (Dkt. 34, Dkt. 62), plaintiff's motion for summary judgment (Dkt. 52) and plaintiff's motion to compel discovery (Dkt. 56).

"[T]he power to stay proceedings is incidental to the power inherent in every court to control disposition of the cases on its docket with economy of time and effort for itself, for counsel, and for litigants." *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). "The exertion of this power calls for the exercise of sound discretion." *CMAX, Inc. v. Hall*, 300 F.2d 265, 268 (9th Cir. 1962); see *Clinton v. Jones*, 520 U.S. 681, 706 (1997) ("The District Court has broad discretion to stay proceedings as an incident to its power to control its own docket."). A court may relieve a party of the burdens of discovery while a dispositive motion is pending. See *Little v. City of Seattle*, 863 F.2d 681, 685 (9th Cir. 1988).

1 In light of the fact that there is more than one dispositive motion pending before
2 the Court that could resolve all of plaintiff's claims and in an effort to not burden the
3 parties with the cost of discovery in the meantime, the Court orders that all discovery in
4 this matter shall be STAYED pending further orders from this Court. Accordingly, the
5 Court also strikes the current pretrial scheduling order (Dkt. 30) and will issue an
6 amended scheduling order at a future date.

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8 Dated this 15th day of September, 2022.

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12 Theresa L. Fricke
13 United States Magistrate Judge
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